	Application No.	**Applicant(s)**
Notice of Allowability	09/650,045	GEDDES JR. ET AL.
	Examiner	**Art Unit**
	Marissa Thein	3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *April 3, 2007*.

2. ☒ The allowed claim(s) is/are *286-297*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

         3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

            International Bureau (PCT Rule 17.2(a)).

     * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

     (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

         1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

     (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

         Paper No./Mail Date _____ .

     Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date *8-13-04; 4-27-04*

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *6-08-07* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Heidi Eisenhut on June 8, 2007.

Information Disclosure Statement

The information disclosure statements (IDS) submitted on April 27, 2004 and August 13, 2004 are being considered by the examiner.

In the Claims

The application has been amended as follows:

Claims 286, 288 and 291 are amended.

In claim 286, page 2, line 16:

Line 16 has been changed to read as follows:

--(g) selecting a provider from the list of providers acceptable to user to conduct the--.

In claim 286, page 2, line2:

Line 22 has been changed to read as follows:

--group receives a benefit in the form of the portion of the business transaction proceeds, and the in---.

In claim 286, page 3, line 23:

Line 22 has been changed to read as follows:

--formation server entity receive a fee; and wherein the information server entity's

fee is the portion--.

In claim 288, page 3, line 2:

Line 6 has been changed to read as follows:

--a group consisting of the Internet, a communicating system, a wired connection,

and a wireless--.

In claim 291, page 3, line 2:

Line 6 has been changed to read as follows:

--include a location of the provider --.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claim 286

The prior art of record neither anticipates nor fairly and reasonably teach in a

computer implemented method for allocating proceeds of a business transaction over a

network, using at least one information server entity and at least one payment entity to

conduct the business transaction, the method comprising the steps of: *inter alia*: (a)

inputting user-specified parameters into the computer; wherein the user-specified

parameters include a search object of at least one good, service, and information, and

at least one user-specified beneficiary group to receive an allocation of proceeds from

the business transaction; (b) searching, on the fly, for providers of the search object

who are associated with the at least one user-specified beneficiary group (c)

determining, on the fly, if at least one responding provider matches the user-specified

parameters; (d) automatically prioritizing the user-specified parameters, on the fly, if no

providers match the parameters or if the matches are unacceptable occurs; (e)

repeating steps (c)-(d) until at least one match occurs; (f) generating a list of providers

matching the user-specified parameters; (g) selecting a provider from the list of

providers acceptable to user to conduct the business transaction; (h) determining an

arrangement based upon the user-specified parameters, on the fly, between the user

and the provider; wherein the arrangement includes the user receiving the search object

from the provider and a business transaction proceeds allocation, wherein the provider

receives a portion of the business transaction proceeds, the at least one user-specified

beneficiary group receives a benefit in the form of the portion of the business

transaction proceeds, and the information server entity receives a fee; and wherein the

information server entity's fee is the portion of the proceeds in the form of a percentage

of the transaction proceeds or a fixed consideration per transaction; (i) repeating steps

(g)-(h) until the user-specified parameters have been met. The word "on the fly" will be

defined based on the definition from Whatis.com. The definition of "on the fly" is *in*

relation to computer technology, "on the fly" describes activities that develop or occur

dynamically rather than as the result of something that is statically predefined. For

example, the content of a page that is sent to you from a Web site can be developed

(and varied) "on the fly" based on dynamic factors such as the time of day, what pages

user has looked at previously, and specific user input. The Web server calls an

application program to produce the "on the fly" page that is to be returned. There are

several techniques for on the fly page development, including the server side include,

the use of cookies, and Microsoft's Active Serve Pager. In general usage, the

expression often connotes a degree of haste and improvisation. The term also can

simply connote being in a mobile or fluid situation.

The most closely applicable prior art of record is Canadian Demand Application

2,254,378 to Woodrow. Woodrow neither anticipates or fairly and reasonable teaches a

computer implemented method for allocating proceeds of a business transaction over a

network, using at least one information server entity and at least one payment entity to

conduct the business transaction, the method comprising the steps of: *inter alia*: (a)

inputting user-specified parameters into the computer; wherein the user-specified

parameters include a search object of at least one good, service, and information, and

at least one user-specified beneficiary group to receive an allocation of proceeds from

the business transaction; (b) searching, on the fly, for providers of the search object

who are associated with the at least one user-specified beneficiary group (c)

determining, on the fly, if at least one responding provider matches the user-specified

parameters; (d) automatically prioritizing the user-specified parameters, on the fly, if no

providers match the parameters or if the matches are unacceptable occurs; (e)

repeating steps (c)-(d) until at least one match occurs; (f) generating a list of providers

matching the user-specified parameters; (g) selecting a provider from the list of

providers acceptable to user to conduct the business transaction; (h) determining an

arrangement based upon the user-specified parameters, on the fly, between the user

and the provider; wherein the arrangement includes the user receiving the search object

from the provider and a business transaction proceeds allocation, wherein the provider

receives a portion of the business transaction proceeds, the at least one user-specified

beneficiary group receives a benefit in the form of the portion of the business

transaction proceeds, and the information server entity receives a fee; and wherein the

information server entity's fee is the portion of the proceeds in the form of a percentage

of the transaction proceeds or a fixed consideration per transaction; (i) repeating steps

(g)-(h) until the user-specified parameters have been met. Woodrow discloses a card

transaction system which enlists pre-screen, qualifying merchants to discount the prices

of products and services a pre-negotiated amount so that cardholders purchasing from

the participating merchants can designate the purchase rebated to charities selected by

the shareholders or keep the rebate (abstract). The system provides a purchase

rebate that involves a charity, a foundation, a cardholder, a merchant, a card issuing

organization and a charge settlement operation (page 2, lines 22-24).

Costin (U.S. Patent Application Publication No. 2002/0049816) neither

anticipates or fairly and reasonable teaches a computer implemented method for

allocating proceeds of a business transaction over a network, using at least one

information server entity and at least one payment entity to conduct the business

transaction, the method comprising the steps of: *inter alia*: (a) inputting user-specified

parameters into the computer; wherein the user-specified parameters include a search

object of at least one good, service, and information, and at least one user-specified

beneficiary group to receive an allocation of proceeds from the business transaction; (b)

searching, on the fly, for providers of the search object who are associated with the at

least one user-specified beneficiary group (c) determining, on the fly, if at least one

responding provider matches the user-specified parameters; (d) automatically

prioritizing the user-specified parameters, on the fly, if no providers match the

parameters or if the matches are unacceptable occurs; (e) repeating steps (c)-(d) until

at least one match occurs; (f) generating a list of providers matching the user-specified

parameters; (g) selecting a provider from the list of providers acceptable to user to

conduct the business transaction; (h) determining an arrangement based upon the user-

specified parameters, on the fly, between the user and the provider; wherein the

arrangement includes the user receiving the search object from the provider and a

business transaction proceeds allocation, wherein the provider receives a portion of the

business transaction proceeds, the at least one user-specified beneficiary group

receives a benefit in the form of the portion of the business transaction proceeds, and

the information server entity receives a fee; and wherein the information server entity's

fee is the portion of the proceeds in the form of a percentage of the transaction

proceeds or a fixed consideration per transaction; (i) repeating steps (g)-(h) until the

user-specified parameters have been met. Costin teaches a fundraising system and

method that allows users to raise money from friends and other entities over a

distributed network (abstract). The method allows e-business to partner with causes,

such as charitable, non-profile and communication organizations, to host fundraising

events online with interactive participation (paragraph 6).

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 571-272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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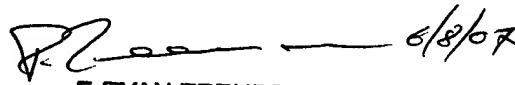
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SUPERVISORY PATENT EXAMINER